

**AMENDMENTS TO THE DRAWINGS**

Please amend the drawings as shown on the enclosed replacement sheets. In particular, Figs. 2, 5A, 5B, and 5C are amended to include reference numerals 117 and 119 as discussed in paragraph [0039]. Fig. 11B is amended to include reference numeral 488 as discussed in paragraph [0061]. Fig. 13 is amended to include reference numerals 602, 604, and 606 as discussed in paragraph [0074]. No new matter is added.

Attachments: Replacement Sheets

**REMARKS**

Claims 1-24 are pending and subject to a restriction requirement. The applicants respectfully elect Group I, corresponding to Figs. 1-9, with traverse. Claims 7-10, 17-20 and 22 are withdrawn as corresponding to a non-elected species. The applicants reserve the right to re-present these claims at a later date in this or other applications. As a result, claims 1-24 remain pending with claims 1-6, 11-16, 21, and 23-24 at issue.

The applicants thank the examiner for his acknowledgement of claim 1 being a generic claim.

**Restriction Requirement**

The applicants respectfully traverse the restriction requirement. The official action alleges five species as follows:

Group I	Figs. 1-9;
Group II	Figs. 10-10B;
Group III	Figs. 11A-11B;
Group IV	Figs. 12A-12C; and
Group V	Fig. 13.

While the applicants acknowledge that a “requirement for restriction is permissible if there is a patentable difference between the species as claimed,” the Patent Office must also show that “there would be a serious burden on the examiner if the restriction is not required.” M.P.E.P. § 808.01(a). The Patent Office has not even alleged a serious burden in this case, let alone show one exists. For this reason alone, the applicants respectfully submit that the restriction is improper and should be withdrawn.

Furthermore, while the applicants acknowledge that “a serious burden on the examiner may be *prima facie* shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in M.P.E.P. § 808.02,” See M.P.E.P. § 803(II)(emphasis added), any *prima facie* showing of serious burden is rebutted when the search of one group will necessarily include a search of the other group. *Id.* (stating that a “*prima facie* showing [of serious burden] may be rebutted by appropriate showings or evidence by the applicant”). Alleged Groups I-V are concerned with related subject matter; specifically in that Groups I-IV disclose variations of a storage device having a plurality of

openings into a storage space and Group V discloses a variety of storage accessories that may be disposed in the storage space. The subject matter of each of the alleged Groups is sufficiently similar such that a complete search directed to any alleged Group would necessarily include a search directed to all of the other alleged Groups.

Because search and examination of each of the alleged Groups can be performed without serious burden on the PTO, requiring the applicants to prosecute those claims in separate patent applications would waste the time, effort, and resources of both the applicants and the PTO. Furthermore, the applicants will likely incur additional prosecution costs associated with filing multiple divisional applications and the PTO will be required to perform duplicative searches if the restriction requirement is maintained. Thus, withdrawal of the restriction requirement relative to Groups I-V will actually reduce the burden on the PTO and on the applicants.

Additionally, by imposing restriction among Groups I-V, the U.S. Patent and Trademark Office ("PTO") makes admissions that may compel it to issue at least five separate patents. Specifically, if the five-way restriction requirement is maintained, then the PTO admits:

The Group I apparatus is patentable over a disclosure of the Group II apparatus, and vice versa.

The Group I apparatus is patentable over a disclosure of the Group III apparatus, and vice versa.

The Group I apparatus is patentable over a disclosure of the Group IV apparatus, and vice versa.

The Group I apparatus is patentable over a disclosure of the Group V apparatus, and vice versa.

The Group II apparatus is patentable over a disclosure of the Group III apparatus, and vice versa.

The Group II apparatus is patentable over a disclosure of the Group IV apparatus, and vice versa.

The Group II apparatus is patentable over a disclosure of the Group V apparatus, and vice versa.

The Group III apparatus is patentable over a disclosure of the Group IV apparatus, and vice versa.

The Group III apparatus is patentable over a disclosure of the Group V apparatus, and vice versa.

The Group IV apparatus is patentable over a disclosure of the Group V apparatus, and vice versa.

See, e.g., M.P.E.P § 802.01.

These admissions are necessary to the PTO's entry of the restriction requirement and may be relied upon by the applicants during examination of this application and future divisional applications, unless the restriction requirement is withdrawn. If the PTO is not making these admissions regarding patentability, then the restriction requirement should be withdrawn.

#### **Claims Readable on the Elected Species**

The applicants respectfully submit that claim 1 is a generic claim and claims 1-6, 11-16, 21, and 23-34 read on the elected species (Group I).

**CONCLUSION**

No fees are believed due. However, the Director is hereby authorized to charge any fees which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29618/39225B. A duplicate copy of this paper is enclosed.

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Respectfully submitted,

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